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California State Senate

SENATOR
TOM HARMAN
THIRTY-FIFTH SENATE DISTRICT

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July 14, 2006

Director Will Kempton
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Re: Laguna Beach Day Labor Site

Dear Director Kempton:

I am writing to inquire about the status and history of the Laguna Day Worker Center located in my district on Laguna Canyon Road (State Highway 133).

It has come to my attention that the property has been owned by the State of California since it was deeded the land by the Irvine Company in 1951, however, in a recent news report, a representative from the Department claimed that the state was unaware of its ownership of the site.

As the Department responsible for the oversight of this state owned property, I would respectfully request that you provide me with a detailed history regarding how and why the state acquired this site and why the Department has neglected to properly maintain the property.

It is of great concern to me that the Department would allow any unlicensed activity to operate on state property for thirteen years. The illegal use of the site has exposed the state to unnecessary legal liabilities associated with the continued operation of the day labor site. What steps will the Department take to ensure that all legal issues regarding the site are resolved?

According to recent news reports (attached), the Department has agreed to lease the property to the City of Laguna Beach. These reports have been unclear about the terms of the lease agreement. Has the lease agreement between the City of Laguna Beach and the Department been signed? If so, please provide a copy of the lease agreement. If a

lease agreement has not been signed, how is the state being protected from liability for any accidents that may occur on the property in the interim?

Besides resolving the legal issues, what steps have been taken to ensure that the lease is in the best interest of tax-payers? Does the site have any alternative use that would better serve the people of California? If a determination has been made that the state does not have a use for the property, why is it not being sold as surplus? If this determination has not been made, how can the Department enter into a lengthy lease agreement with the City of Laguna Beach before determining the best use for the property?

I thank you in advance for your attention to this request. I look forward to your response.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Harman". The signature is fluid and cursive, with the first name "Tom" and last name "Harman" clearly distinguishable.

TOM HARMAN
35th Senate District

Cc: Congressman John Campbell
Assemblyman Chuck DeVore